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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,433	01/25/2002	Ian H. Todd	MICR0257	9654

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MICROSOFT CORPORATION  
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BELLEVUE, WA 98004

EXAMINER

PILLAI, NAMITHA

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/057,433

Applicant(s)

TODD ET AL.

Examiner

Namitha Pillai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 April 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. The Examiner acknowledges Applicant's amendments to claim 2, to correct errors. Claims 2 and 16 have been newly rejected under 35 U.S.C. 103, wherein the feature of a predetermined key of the user input device was not previously addressed in the prior rejection. All pending claims are rejected as being disclosed or obvious over prior arts.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 28, 30-33 and 35-36 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U. S. Patent No. 6, 393, 443 B1 (Rubin et al.), herein referred to as Rubin.

Referring to claim 28, Rubin discloses a method for capturing data displayed near a cursor location controlled with a pointing device in an electronic display (Figure 3). Rubin discloses hooking into an operating system output module that renders data to the electronic display (Figure 1). Rubin discloses invalidating an update region of the electronic display, wherein the update region is defined as a function of the cursor location in the electronic display, forcing the operating system output module to re-render the data to the update region of the electronic display and copying the data from the operating system output module while the

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operating system output module is re-rendering the data to the update region of the electronic display (column 4, lines 30-40).

Referring to claims 30 and 35, Rubin discloses invoking a redraw application programming interface that instructs the operating system to issue a paint message to a procedure for redrawing the electronic display, the paint message causing the procedure to execute the operating system output module to redraw the update region of the electronic display window (Figure 3).

Referring to claims 31 and 36, Rubin discloses mapping font glyphs to text if the data comprises font glyphs, mapping text coordinates to screen coordinates if the operating system output module provides the data to a window device context and saving the data if the operating system output module provides the data to a memory device context (Figure 3).

Referring to claim 32, Rubin discloses a machine-readable medium having machine instructions for carrying out the steps of Claim 28 (Figure 1).

Referring to claim 33, Rubin discloses a system for capturing data displayed near a cursor location in an electronic display (Figure 3). Rubin discloses a processor, a display in communication with the processor, the display displaying a cursor at a location in the display (column 5, lines 55-60 and Figure 2A). Rubin discloses a memory in communication with the processor and storing machine instructions that cause the processor to hook into an operating system output module that renders data to the electronic display (column 1, lines 36-40). Rubin discloses invalidating an update region of the electronic display, wherein the update region is defined as a function of the cursor location in the electronic display, force the operating system output module to re-render the data to the update region of the electronic display and copy the

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data from the operating system output module while the operating system output module is re-rendering the data to the update region of the electronic display (column 4, lines 30-40).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 29 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubin and "The Portable Executable File Format" (Johannes Plachy).

Referring to claims 29 and 34, Rubin does not disclose patching an .idata section associated with a target process that controls the electronic display. "The Portable Executable File Format" discloses that an application for an operating systems based on Windows formatting relies on .idata section and used for data segments in DOS systems (page 13, lines 13-18). It would have been obvious for one skilled in the art, at the time of the invention to learn from "The Portable Executable File Format" to disclose patching an .idata section associated with a target process that controls the electronic display. Rubin clearly discloses the use of target processes for controlling display of data and wherein a processor is used for carrying out the instructions, wherein this processor would be based on DOS systems. Therefore, Rubin would include DOS predefined data that has been well established with DOS systems, including such header information for data segments as .idata sections. Hence, it would have been obvious for one skilled in the art, at the time of the invention to learn from "The Portable Executable File

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Format” to disclose patching an .idata section associated with a target process that controls the electronic display.

4. Claims 1, 3-15 and 17-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubin and U. S. Patent No. 5, 651, 107 (Frank et al.), herein referred to as Frank.

Referring to claim 1, Rubin discloses a method for automatically delivering electronic content related to text appearing in a display (Figure 2A). Rubin discloses detecting a cursor location within a target window in which the text is displayed, causing a target process associated with the target window to re-render the text to the target window in an update region that includes the cursor location (Figure 3), determining a primary word that occurs at the cursor location from the re-rendered text, searching a first electronic data store for content related to the primary word and displaying a result of the search (column 1, lines 39-50). Rubin does not disclose displaying the results in a semitransparent window that is persistently visible and that enables content displayed underlying the result to be visible. Frank discloses teaching displaying data in semitransparent windows, wherein these windows are persistently visible to the user and enables content displayed underlying the result to be visible (Figure 8). It would have been obvious for one skilled in the art, at the time of the invention to display the results in a semitransparent window that is persistently visible and that enables content displayed underlying the result to be visible. Frank discloses wherein the purpose of the invention is to teach displaying transparent windows thereby allowing for more information to be displayed. Frank has clearly taught the use of transparent windows when needed to display the underlying data of a window, wherein it would have been obvious for Rubin to learn from the well-known teachings shown in Frank to display the search results of Rubin in a semitransparent window. It would

have been obvious for one skilled in the art at the time of the invention to display the results in a semitransparent window that is persistently visible and that enables content displayed underlying the result to be visible.

Referring to claims 3 and 17, Rubin discloses inserting machine instructions into a memory space of the target process, executing the machine instructions, hooking a text-out module, invalidating the update region, wherein the update region is defined as a function of the cursor location; executing the text-out module to re-render the text to the update region and copying the text from the text-out module while the text-out module is re-rendering the text to the update region (column 4, lines 30-40).

Referring to claims 4 and 18, Rubin discloses determining a character that is closest to the cursor location, from the re-rendered text, detecting a first termination point that occurs before the character, wherein the first termination point indicates the beginning of the primary word, detecting a second termination point that occurs after the character, wherein the second termination point indicates the end of the primary word and identifying the primary word as a set of characters between the first termination point and the second termination point (Figure 3).

Referring to claims 5 and 19, Rubin discloses searching a local electronic data store for content related to the primary word and searching a remote electronic data store for content related to the primary word (column 6, lines 56-64).

Referring to claims 6 and 20, Rubin and Frank disclose automatically providing the semitransparent window at a defined location in the display, the semitransparent window being sized to overlay only a portion of the display, displaying at least a portion of the result of the

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search in the semitransparent window and enabling a user to obtain additional content related to the primary word by selecting an option in the semitransparent window (Frank, Figure 8).

Referring to claims 7 and 21, Rubin discloses determining context word associated with the primary word (Figure 3).

Referring to claims 8 and 22, Rubin discloses determining the context word from the re-rendered text and determining the context word from a characteristic of text being processed by the target process (Figure 3).

Referring to claims 9 and 23, Rubin discloses searching the first electronic data store based on a combination of the primary word and the context word and if no content was found based on the combination of the primary word and the context word and searching the first electronic data store based on the primary word (Figures 2A and 2B).

Referring to claims 10 and 24, Rubin discloses displaying an alternate word that is spelled similar to the primary word in the result if no content was found based on the primary word (Figure 2C).

Referring to claims 11 and 25, Rubin discloses searching an additional electronic data store for additional content related to the primary word and enabling a user to selectively view the additional content in the result (Figures 2A and 2B).

Referring to claims 12 and 26, Rubin discloses enabling a user to selectively indicate that an additional electronic data store is to be searched prior to the first electronic data store, thereby indicating a priority of information desired by the user, searching the additional electronic data store for additional content related to the primary word prior to searching the first electronic data store and if additional content is found, displaying at least a portion of the additional content of



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the search of the additional electronic data store in the semitransparent window prior to displaying the result of the search of the first electronic data store (Figures 2A and 2B).

Referring to claims 13 and 27, Rubin and Frank disclose maintaining a focus on an active window so that the user need not return the focus from the semitransparent window, to the active window after a result is displayed (Frank, Figure 8).

Referring to claim 14, Rubin discloses a machine-readable medium having machine instructions for performing the steps of Claim 1 (Figure 1).

Referring to claim 15, Rubin discloses a system for automatically delivering electronic content related to text appearing in a display (Figure 2A). Rubin discloses a processor, a display in communication with the processor, display displaying a cursor location and a target window that includes text (column 5, lines 55-60 and Figure 2A). Rubin discloses a pointing device adapted to be controlled by a user and coupled in communication with the processor, the pointing device producing a signal indicating the cursor location on the display (column 1, lines 36-40). Rubin discloses a user input device having at least one key, the user input device being coupled in communication with the processor and a memory in communication with the processor and storing machine instructions (Figure 2A and column 5, lines 55-60). Rubin discloses detect the cursor location indicated by the signal produced by the pointing device on the display device, cause a target process associated with the target window to re-render the text to the target window in an update region of the display that includes the cursor location disposed proximate to the text being re-rendered (Figure 3). Rubin discloses to determine from the re-rendered text a primary word that is disposed proximate to the cursor location, search a first electronic data store for content related to the primary word and display a result of the search (Figures 2A and 2B).

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Rubin does not disclose displaying the results in a semitransparent window that is persistently visible and that enables content displayed underlying the result to be visible. Frank discloses teaching displaying data in semitransparent windows, wherein these windows are persistently visible to the user and enables content displayed underlying the result to be visible (Figure 8). It would have been obvious for one skilled in the art, at the time of the invention to display the results in a semitransparent window that is persistently visible and that enables content displayed underlying the result to be visible. Frank discloses wherein the purpose of the invention is to teach displaying transparent windows thereby allowing for more information to be displayed. Frank has clearly taught the use of transparent windows when needed to display the underlying data of a window, wherein it would have been obvious for Rubin to learn from the well-known teachings shown in Frank to display the search results of Rubin in a semitransparent window. It would have been obvious for one skilled in the art at the time of the invention to display the results in a semitransparent window that is persistently visible and that enables content displayed underlying the result to be visible.

5. Claims 2 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rubin, Frank and further in view of Microsoft Computer Dictionary, Fifth Edition.

Referring to claims 2 and 16, Rubin discloses receiving only a single cursor move message from a pointing device that controls the cursor location within a predetermined hover time, indicating that the cursor has remained stationary for at least the predetermined hover time, the cursor move message including a coordinate identifying the cursor location (Figure 3, column 9, lines 40-45 and column 12, lines 40-42). Rubin discloses receiving a pointer device click message indicating that a predetermined pointer button was activated, wherein the pointer

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click message includes a coordinate identifying the cursor location on the display (Figure 3, column 9, lines 40-45 and column 12, lines 40-42). Rubin does not disclose explicitly stating that a predetermined key of the user input device is depressed. Microsoft Computer Dictionary discloses in order to select items on the display, the user depresses a predetermined key of the input device (See definition of mouse on page 348). The Examiner takes Official Notice, wherein the feature of selecting an item, wherein the user presses a predetermined key of a user input device is well known in the field of the art. It would have been obvious for one skilled in the art at the time of the invention to teach that an item can be selected on a screen by the user depressing a predetermined key of the input device. Rubin teaches that the user input device is used to determine placement of a cursor on the display and selection of items on the display using the input device. The clear and well known definition of a mouse distinctly points out that the selection is carried out by a mouse by the user pressing a predetermined key on the input device. Hence, it would have been obvious to learn from a well know and common teaching that selecting an item with an input device is done by the user pressing a predetermined key of a user input device.

#### ***Response to Arguments***

6. Applicant's arguments filed 4/7/05 have been fully considered but they are not persuasive.

With respect to Applicant's arguments that Rubin does not disclose invalidating an update region of the electronic display with the update region is defined as a function of the cursor location in the display. Rubin discloses determining the location of a cursor on a display,

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wherein upon this determination, the area is invalidated based on information that is displayed there (column 9, lines 39-47).

With respect to Applicant's arguments that Rubin does not disclose forcing the operating system output module to re-render the data to the update region. Rubin clearly teaches output modules carrying out processing steps for determining displayed data, wherein this data is processed and based on results of this processing, data is further re-rendered to the update region, wherein text information related to the text scanned is retrieved from databases and further displayed or re-rendered by output modules (column 10, lines 25-32).

### *Conclusion*

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231. If applicant desires to fax a response, central FAX number (703) 872-9306 may be used. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed. Please

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label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

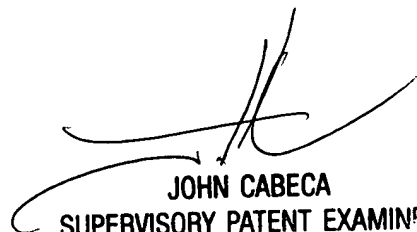
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (571) 272-4054. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai  
Assistant Examiner  
Art Unit 2173  
June 24, 2005



JOHN CABECA  
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